

April 19, 2006

REMARKS

Applicants hereby elect the claims of the Group I coating powder composition, claims 1-6, with traverse.

The restriction requirement is at least partly improper. If a search of the entire invention can be made without putting a serious burden on the Examiner, the Examiner must search that entire invention. See MPEP 803. In the instant case, a search of the method of using the coating powder (Group II, claims 7-10) and of the composition (Group I, claims 1-6) would not put an undue burden on the Examiner, adding only a single subclass of art in Class 427, subclass 195. See *Manual of Patent Classification*. This search does not create a serious burden on the Examiner. Even notwithstanding the lack of a serious search burden on the Examiner, the claims of Groups I and II, respectively, recite the same invention: A composition and a method of using the same composition. See *In re Ochiai*, 37 USPQ2d 1127 (Fed Cir. 1995). Accordingly, the claims of Groups I and II should be examined together. Applicants hereby request rejoinder of the process of use, Group II, claims 7-10 with the composition claims of Group I, claims 1-6.

The Applicants respectfully request the reconsideration and the withdrawal of all art restriction requirements.

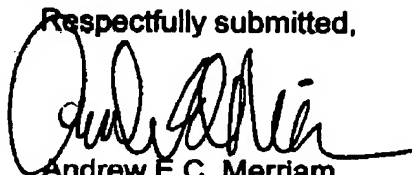
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Conclusion

Based on the foregoing, it is submitted that the instant claims 1-11 define a single invention and are presently in condition for allowance in the instant application.

If any fees are found owing, please charge our deposit account no. 18-1850. If the Examiner has any questions or concerns, he is urged to contact the undersigned at the number given below.

Respectfully submitted,



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